

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION**

**FACT SHEET  
for  
ORDER NO. R9-2002-179  
WASTE DISCHARGE REQUIREMENTS AND  
SECTION 401 WATER QUALITY CERTIFICATION  
FOR  
PARDEE HOMES  
PACIFIC HIGHLANDS RANCH (PHASE 3 & 4) PROJECT  
SAN DIEGO COUNTY**

**PROJECT DESCRIPTION**

Pacific Highlands Ranch is a master planned community incorporating approximately 5,000 residential units on approximately 2,652 acres of predominantly undeveloped, previously farmed land located in the City of San Diego (Figures 1, 2, and 3). The Pacific Highlands Ranch project consists of a town center and village (consisting of commercial and retail uses, parks, civic area, employment center, fire station, public library, and transit center), schools (three to four elementary schools, one junior high, and one high school), and open space/Multiple Habitat Preservation Area (MHPA) for implementation of the Multiple Species Conservation Program (MSCP). Pardee Homes proposes to construct Phases 3 and 4 of the master planned community; this consists of 1,855 residential units on approximately 692 acres. Tentative Order No. R9-2002-179 addresses only Phases 3 and 4 of the entire project area.

In general, three relatively large drainages flow east to west across the site: Gonzalez Canyon, McGonigle Canyon, and Deer Canyon. The unnamed tributaries of these drainages traverse historically farmed slopes and slopes dominated by non-native grassland, coastal sage scrub, or chaparral. The majority of drainages have been previously impacted by disking and/or plowing. Runoff from the project site drains through these canyons either to Carmel Valley Creek into Los Penasquitos Creek in the south or into the San Dieguito River to the North.

The proposed project (Phases 3 and 4) will permanently impact 0.25 acre of wetland and 1.21 acres of unvegetated waters of the U.S., and will temporarily impact 0.05 acre of wetland and less than 0.01 acre of unvegetated waters of the U.S.

Waters of the United States on the project site serve as habitat for sensitive wildlife species of reptiles including Orange-throated whiptail, birds including Cooper's hawk, sharp-shinned hawk, Grasshopper sparrow, S. California rufous-crowned sparrow, Bell's sage sparrow, Turkey vulture, Lesser nighthawk, Northern harrier, Yellow warbler,

White-tailed kite, California horned lark, Loggerhead shrike, California gnatcatcher, and mammals including San Diego black-tailed jackrabbit.

Mitigation for permanent and temporary impacts associated with the project will occur on-site. Riparian habitat will be mitigated at the confluence of Deer and McGonigle Canyons, adjacent to the existing pond, and potentially in the upper reaches of McGonigle Canyon.

### LOCATION

Pacific Highland Ranch is located within three watersheds; La Zanja and Gonzales Canyon watersheds along the northern property boundary, and the McGonigle Canyon watershed along the south portion of the property. The proposed project is located entirely within the incorporated boundaries of the City of San Diego. The project area is bounded by the community of Fairbanks Ranch along the north, Torrey Highlands along the east, Del Mar Mesa along the south, and the community of Carmel Valley along the west (Figure 2). The site can be found on the U.S. Geological Survey (USGS) 7.5 minute series topographic map Del Mar Quadrangle, California (portions of Sections 7,8,9,10,11,15,16, and 22, Range 3 West, Township 14 South, Del Mar Quadrangle, San Bernardino Base Map).

### DISCHARGE DESCRIPTION

This Tentative Order addresses the discharge of fill material into jurisdictional waters of the United States. The project will result in the discharge of waste, defined as the placement of fill material (e.g., soil, riprap, culverts), into 1.52 acres of waters of the United States, including wetlands, that are tributaries to Los Penasquitos Creek and San Dieguito River. The project's direct impacts are as follows:

Impacts to Waters of the United States (Acres)			
	Permanent	Temporary	Total
Wetlands	0.25	0.05	0.30
Unvegetated Waters of the U.S.	1.21	<0.01	1.22
Total	1.46	0.06	1.52

Permanent impacts will result from road crossings, placement of grade control structures in the eastern reach of Gonzales Canyon, and placement of fill material in drainages to allow for development. Temporary impacts will result from trenching for five proposed utility connections. The trenches will be backfilled and the plant communities will be restored over the utility connections, except where they are placed under trails.

### BASIN PLAN WATER QUALITY OBJECTIVES, BENEFICIAL USES, AND PROHIBITIONS

The Basin Plan established the following seven existing and potential beneficial uses for Carmel Valley, Deer Creek, McGonigle Canyon, and associated tributaries within the Los Penasquitos Creek Watershed HU (906): Agricultural Supply (AGR), Industrial process supply (IND), potential Contact and Non-Contact Water Recreation (REC-1 and REC-2), Warm Freshwater Habitat (WARM), Cold Freshwater Habitat (COLD), and Wildlife Habitat (WILD). Six existing and potential beneficial uses have been identified for Gonzales Canyon and associated tributaries within the San Dieguito River Watershed HU (905): potential AGR, potential IND, REC-1 and REC-2, WARM, and WILD. All surface waters onsite have been exempted from municipal and domestic supply uses (MUN).

The Basin Plan established the following three existing and potential groundwater beneficial uses for Penasquitos Creek and San Dieguito Watershed: MUN, AGR and potential IND.

The Basin Plan established the following Waste Discharge Prohibitions pursuant to CWC 13243:

*The discharge of sand, silt, clay, or other earthen materials from any activity, including land grading and construction, in quantities which cause deleterious bottom deposits, turbidity or discoloration in waters of the state or which unreasonably affect, or threaten to affect, beneficial uses of such waters is prohibited.*

### CALIFORNIA ENVIRONMENTAL QUALITY ACT

The City of San Diego prepared an Environmental Impact Report (EIR) pursuant to the California Environmental Quality Act, and this document was certified on June 11, 1998. The EIR describes potential impacts and related mitigation measures for Hydrology and Water Quality, Biological Resources, Land Use, and other issues.

The proposed project has the potential to impact water quality standards. The EIR identified mitigation measures to reduce the impacts of this project to less than significant. The project proponent will be required to comply with the requirements of State Water Resources Control Board Water Quality Order No. 99-08-DWQ, the NPDES General Permit for Storm Water Discharges Associated with Construction Activity; and the Municipal Storm Water Permit (NPDES No. CAS0108758). Wetland and riparian plant community creation and enhancement were also required to compensate for the loss of habitat as a result of fill activities.

## BASIS FOR TENTATIVE WASTE DISCHARGE REQUIREMENTS

This Order establishes discharge specifications for the discharge of fill material pursuant to Division 7 of the California Water Code and Article 4, Title 23 of the California Water Code.

This order establishes mitigation and monitoring provisions based on best professional judgement. The Basin Plan states “certification is dependent upon the assurances that the project will not reduce water quality below applicable standards as defined in the Clean Water Act (i.e., the water quality objectives established and the beneficial uses which have been designated for the surface waters.)”

Regional Board staff have reviewed and concur with the jurisdictional wetland delineation conducted by the discharger. The delineation was conducted in accordance with established Army Corps of Engineers protocol and provided a qualitative and quantitative description of waters of the U.S. that would be impacted and preserved. The applicant has avoided impacts to higher quality waters onsite and will enhance these waters through mitigation. The proposed mitigation will enhance habitat and water quality functions onsite; this, in turn, will improve water quality and habitat for WARM, COLD, and WILD beneficial uses. Approximately 52 percent of Pacific Highlands Ranch will be used for residential, commercial, and public developments. The remaining 48 percent, is within the City of San Diego’s Multiple Habitat Planning Area (MHPA) and will be preserved.

The Pacific Highlands Ranch Runoff Management Plan (for all of Pardee Homes’ 1,665 acre-ownership) mitigates the expected hydrologic impacts such as increases in peak discharges. The proposed flood control facilities will consist of a total of nine on-site detention basins (approximately 16 acres) to reduce post-development peak flows to pre-development conditions based on the 25-year flood event. In addition to detention basins, grade control structures (i.e., drop structures) will be included along the narrow reach of Gonzales Canyon to mitigate for potential erosion and sedimentation resulting from increases in peak discharges. The proposed water quality management plan is designed to minimize water quality impacts at a regional and local scale. The proposed regional detention basins will minimize water pollution, catch sediment, slow water flow, reduce erosion, and prevent other adverse effects of storm water and runoff from urban and commercial developments. Structural BMPs (i.e., all other devices excluding the detention basins) will provide runoff management at localized areas. The applicant will also select various structural BMPs for each land use type and proposed residential and commercial structures. In addition to BMPs, the applicant has included construction site erosion and sediment control practices in their water quality management plan.

Implementation of all the mitigation proposed for the entire Pacific Highlands Ranch project calls for the creation/restoration of 15.75 acres of wetland/riparian habitat. An additional 1.50 acres are set aside for the City of San Diego’s mitigation for impacts resulting from the construction of SR-56, if needed. The breakdown of habitat types is as follows:

<b>Habitat Type</b>	<b>Acreage</b>
Southern Willow Scrub	12.25
Mulefat Scrub	3.50
Sycamore/Oak Woodland	1.50
<b>Total</b>	<b>17.25</b>

Conservation easements or deed restrictions will be placed over the preserved drainages and mitigation areas, and will ensure that they continue to function as natural systems, providing water quality and beneficial uses in perpetuity. Implementation of the Mitigation Plan will compensate for impacts to beneficial uses. Therefore, the requirements of this Order are consistent with the Basin Plan.

Potential impacts to water quality resulting from construction and project build-out will be addressed through the Construction Stormwater Permit and the Municipal Stormwater Permit, respectively. The Municipal Stormwater Permit defines urban streams as a component of the Municipal Separate Storm Sewer System (MS4). The permit states:

*Historic and current development make use of natural drainage patterns and features as conveyances for urban runoff. Urban streams used in this manner are part of the municipalities MS4 regardless of whether they are natural, man-made, or partially modified features. In these cases, the urban stream is both an MS4 and a receiving water.*

Storm drain outlets from the proposed residential and commercial development will daylight to the preserved waters of the U.S. on the project site. The preserved drainage will be used to convey urban runoff and is considered an MS4.

The Municipal Stormwater Permit states:

*Since the copermittees utilize their legal authority to authorize urbanization, they must also exercise their legal authority to ensure that the resulting increased pollutant loads and flows do not further degrade receiving waters.*

The City of San Diego is a Copermittee, as defined in the Municipal Stormwater Permit, and is responsible for ensuring that the proposed project does not increase pollutant loads or degrade receiving waters.

This order establishes water quality certification provisions based on Article 4, Title 23 of the California Water Code and best professional judgement.

Standard provisions, reporting and record keeping requirements, and notifications are established in accordance with Division 7 of the California Water Code.

## MONITORING AND REPORTING REQUIREMENTS

Requirements for monitoring and reporting for the Pacific Highlands Ranch (Phases 3 & 4) project are found in Monitoring and Reporting Program No. R9-2002-0179

## WRITTEN COMMENTS

Interested persons are invited to submit written comments upon these waste discharge requirements. Comments should be submitted either in person during business hours or by mail to:

John H. Robertus  
Executive Officer  
Attn: Mo. Lahsaie  
California Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

All comments received by 4:00 p.m. on August 5, 2002 will be considered in the formulation of determinations.

## PUBLIC HEARING

Tentative Order No. R9-2002-0179 will be considered by the San Diego Regional Board at a public hearing on:

**August 14, 2002**

at the following location:

California Regional Water Quality Control Board  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

The Board may adopt Tentative Order No. R9-2002-0179 with or without modification, deny without prejudice, or deny adoption.

## ADDITIONAL INFORMATION

For additional information, interested persons may write to the following address or contact Mo. Lahsaie (lahsm@rb9.swrcb.ca.gov) of the Regional Board staff at 858-637-5587.

California Regional Water Quality Control Board  
Attn: Mo. Lahsaie  
9174 Sky Park Court, Suite 100  
San Diego, CA 92123

Copies of the tentative waste discharge requirements and other documents (other than those the Executive Officer maintains as confidential) are available at the Regional Board office for inspection and copying. Please contact Michael Gallina at 858-636-3137 for file review times and procedures.

### WDR REVIEW

A person may petition the State Board to review the decision of the Regional Board regarding the final WDR. A petition must be made within 30 days of the Regional Board taking an action.